

EXHIBIT B

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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2015 Grand Jury

UNITED STATES OF AMERICA,

CR No. 15-00131(A)-JFW

Plaintiff,

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

v.

TEOFIL BRANK,
aka "Jarec Wentworth,"
aka "@JarecWentworth,"

[18 U.S.C. § 875(d): Transmitting Threatening Communications with Intent to Extort; 18 U.S.C. § 1951(a): Extortion and Attempted Extortion Affecting Interstate Commerce By Nonviolent Threat; 18 U.S.C. § 880: Receiving Proceeds of Extortion; 18 U.S.C. § 1952(a)(3): Use of an Interstate Facility to Facilitate an Unlawful Activity; 18 U.S.C. § 924(c)(1)(A)(i): Possession of a Firearm in Furtherance of a Crime of Violence; 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 21 U.S.C. § 853: Criminal Forfeiture]

Defendant.

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 875(d)]

On or about February 16, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL

1 BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth"
2 ("BRANK"), with the intent to extort money and things of value from
3 victim D.B., knowingly transmitted in interstate or foreign commerce
4 telephone communications and electronic text communications that
5 contained a true threat to injure the reputation of victim D.B., that
6 is, defendant BRANK threatened to distribute sensitive information
7 about victim D.B. on social media, if victim D.B. refused to transfer
8 money, a motorcycle, and the title to victim D.B.'s automobile to
9 defendant BRANK.

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1 COUNT TWO

2 [18 U.S.C. § 1951(a)]

3 On or about February 17, 2015, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant TEOFIL
5 BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth"
6 ("BRANK"), knowingly and with the intent to obtain property,
7 obstructed, delayed, and affected commerce and the movement of
8 articles and commodities in commerce, by extortion, as those terms
9 are defined in Title 18, United States Code, Section 1951, in that
10 defendant BRANK knowingly obtained personal property consisting of at
11 least \$500,000 from victim D.B., with victim D.B.'s consent, induced
12 by the wrongful use of fear, by threatening to distribute sensitive
13 information about victim D.B. on social media, if victim D.B. refused
14 to transfer money, a motorcycle, and the title to victim D.B.'s
15 automobile to defendant BRANK.

1 COUNT THREE

2 [18 U.S.C. § 880]

3 On or about February 16, 2015, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant TEOFIL
5 BRANK, also known as ("aka") "Jarec Wentworth," aka
6 "@JarecWentworth," received, possessed, concealed, and disposed of a
7 vehicle that was obtained from the transmission in interstate
8 commerce of a communication that contained a threat to injure the
9 reputation of victim D.B., in violation of Title 18, United States
10 Code, Section 875(d), knowing the same to have been unlawfully
11 obtained.

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1 COUNT FOUR

2 [18 U.S.C. § 880]

3 On or about February 17, 2015, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant TEOFIL
5 BRANK, also known as ("aka") "Jarec Wentworth," aka
6 "@JarecWentworth," received, possessed, concealed, and disposed of
7 money that was obtained from the transmission in interstate commerce
8 of a communication that contained a threat to injure the reputation
9 of victim D.B., in violation of Title 18, United States Code, Section
10 875(d), knowing the same to have been unlawfully obtained.

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1 COUNT FIVE

2 [18 U.S.C. § 1951(a)]

3 On or about March 3, 2015, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendants TEOFIL
5 BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth"
6 ("BRANK"), knowingly and with the intent to obtain property,
7 attempted to obstruct, delay, and affect commerce and the movement of
8 articles and commodities in commerce by extortion, as those terms are
9 defined in Title 18, United States Code, Section 1951, in that
10 defendant BRANK knowingly attempted to obtain personal property
11 consisting of at least \$1,000,000 from victim D.B. with victim D.B.'s
12 consent, induced by the wrongful use of fear, by threatening to
13 distribute sensitive information about victim D.B. on social media,
14 if victim D.B. refused to transfer money, a motorcycle, and the title
15 to victim D.B.'s automobile to defendant BRANK.

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1 COUNT SIX

2 [18 U.S.C. § 1952(a)(3)]

3 On or about March 3, 2015, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant TEOFIL
5 BRANK, also known as ("aka") "Jarec Wentworth," aka
6 "@JarecWentworth," used a facility of interstate or foreign commerce,
7 namely a cellular telephone, with the intent to promote, manage,
8 establish, carry on, and facilitate the promotion, management,
9 establishment, and carrying on of an unlawful activity, namely,
10 extortion offenses in violation of the laws of the State of
11 California and of the United States, and thereafter attempted to
12 perform acts to promote, manage, establish, carry on, and facilitate
13 the promotion, management, establishment, and carrying on of, the
14 extortion.

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1 COUNT SEVEN

2 [18 U.S.C. § 924(c)(1)(A)(i)]

3 On or about March 4, 2015, in Los Angeles County, within the
4 Central District of California, defendant TEOFIL BRANK, also known as
5 ("aka") "Jarec Wentworth," aka "@JarecWentworth," knowingly possessed
6 a firearm, namely, a .357 caliber Colt Python revolver, bearing
7 serial number K46715, in furtherance of a crime of violence, namely,
8 attempted extortion affecting interstate commerce, in violation of
9 Title 18, United States Code, Section 1951(a), as charged in Count
10 Five of this Indictment.

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1 FORFEITURE ALLEGATION

2 [18 U.S.C. § 981(a)(1)(C); 28 U.S.C. § 2461(c); 21 U.S.C. § 853]

3 Pursuant to Federal Rule of Criminal Procedure 32.2, notice is
4 hereby given to defendant TEOFIL BRANK ("BRANK") that the United
5 States will seek forfeiture as part of any sentence in accordance
6 with Title 18, United States Code, Section 981(a)(1)(C), Title 28,
7 United States Code, Section 2461(c) and Title 21, United States Code,
8 Section 853 in the event of defendant's conviction under Counts One
9 and Two of this Indictment.

10 Defendant BRANK shall forfeit to the United States the following
11 property:

12 a. All right, title, and interest in any and all
13 property, real or personal, which constitutes or is derived from
14 proceeds traceable to any offense set forth in Counts One and Two of
15 this Indictment, including, but not limited to \$500,000.00 that was
16 wire transferred to defendant BRANK by victim D.B. on or about
17 February 17, 2015; and

18 b. A sum of money equal to the total value of the
19 property described in subsection (a) above.

20 Pursuant to Title 21, United States Code, Section 853(p), as
21 incorporated by Title 28, United States Code, Section 2461(c) and
22 Title 18, United States Code, Section 982(b), defendant BRANK shall
23 forfeit substitute property, up to the total value of the property
24 described in the preceding paragraph, if, as a result of any act or
25 omission of a defendant, the property described in the preceding
26 paragraph, or any portion thereof (a) cannot be located upon the
27 exercise of due diligence; (b) has been transferred or sold to, or
28 deposited with a third party; (c) has been placed beyond the

1 jurisdiction of the court; (d) has been substantially diminished in
2 value; or (e) has been commingled with other property that cannot be
3 divided without difficulty.

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5 A TRUE BILL

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7 Foreperson

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9 STEPHANIE YONEKURA
10 Acting United States Attorney

11 ROBERT E. DUGDALE
12 Assistant United States Attorney
13 Chief, Criminal Division

14 SCOTT M. GARRINGER
15 Assistant United States Attorney
16 Deputy Chief, Criminal Division

17 RUTH PINKEL
18 Assistant United States Attorney
19 Chief, General Crimes Section

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23 Section

24 KIMBERLY D. JAIMEZ
25 Assistant United States Attorney
26 General Crimes Section

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